

REQUEST FORM AND FORMALITIES PRELIMINARY AMENDMENT FOR
FILING A PATENT APPLICATION UNDER 37 C.F.R. 1.53(b)

Submit an original and a duplicate for fee processing

17497 + U.S. PTO
10/686525



| THIS APPLICATION: | | PRIOR APPLICATION: | | TOTAL NO. |
|-------------------|------------------|--------------------|----------|-----------|
| DOCKET NUMBER | FILING DATE | EXAMINER | ART UNIT | OF PAGES |
| P67027US1 | October 16, 2003 | Patrick D. Niland | 1714 | 27 |

Address to:

Commissioner for Patents
P.O. Box 1450
Mail Stop Patent Application
Alexandria, VA 22313-1450

FEES 53(f) - NO FEE

This is a request for filing a ☐ continuation or ☒ divisional application under 37 C.F.R. 1.53(b) of prior application Serial No. **09/929051** filed on **August 15, 2001**, entitled **A COAT SYSTEM COMPRISING A DRY POWDER COMPOSITION DISPERSIBLE IN WATER** by the following inventor(s).

| | Family Name | First Given Name | Second Given Name |
|-------------------------|---|--------------------------|---------------------------|
| Full Name of Inventor | FITZGERALD | Fergus | Rupert |
| | City | State or Foreign Country | Country of Citizenship |
| Residence & Citizenship | Dublin | Ireland | Ireland |
| | Post Office Address | City | State & Zip Code/ Country |
| Post Office Address | 330 Marina Village, Malahide, Dublin, Ireland | | |

☐ additional sheet(s) with inventors information attached

- ☒ A Second Preliminary Amendment is enclosed.
- ☒ Cancel claim(s) 1-17 for purposes of lessening filing fees.

The filing fee is calculated on the basis of the claims existing in the prior application as amended by 1 and/or 2 above.

CLAIMS

| | | | | |
|-------------------------------|----|--------|-------------|------------|
| Basic Fee | | | \$385 | \$770 |
| Total Claims | 10 | - 20 = | x 9 = \$ | x 18 = \$ |
| Ind. Claims | 1 | - 3 = | x 43 = \$ | x 86 = \$ |
| [] Multiple Dependent Claims | | | +145 = \$ | + 290 = \$ |
| | | | Total \$385 | Total \$ |

3. [] The Commissioner is hereby authorized to charge fees under 37 C.F.R. 1.16 and 1.17 which may be required or credit any overpayment to Deposit Account No. 06-1358. A duplicate copy of this sheet is enclosed.
4. [X] This application is filed under Rule 53(f) and therefore the [X] Filing Fee [] Declaration is not enclosed. All authorization to charge Deposit Account No. 06-1358 for 37 C.F.R. 1.16 fees previously made is revoked.
5. [] A check in the amount of \$_____ is enclosed.
6. [X] Amend the specification by inserting before the first line the sentence:
This is a Divisional of application Serial No. 09/929051 filed August 15, 2001.
[X] which in turn is a Continuation of PCT application No. PCT/IE00/00021 filed February 14, 2000.
7. [X] A verified statement claiming small entity status under 37 CFR 1.9 and 1.27:
a) [X] was claimed by way of a declaration filed in prior application Serial No. 09/929051.
b) [] is claimed by way of the attached declaration.
8. [X] Priority of application Serial No. 990106, filed on February 15, 1999 in Ireland is claimed under 35 U.S.C. 119.
a) [X] Certified copy is on file in prior application, Serial No. 09/929051.
b) [] Certified copy filed herewith.
9. [X] The prior application is assigned of record to New Lake International Limited.

10. ☒ The Power of Attorney in the prior application is to at least one of the following:

John Clarke Holman, 22,769; Harvey B. Jacobson, Jr., 20,851; Marvin R. Stern, 20,640; Allen S. Melser, 27,215; Michael R. Slobasky, 26,421; Jonathan L. Scherer, 29,851; Irwin M. Aisenberg, 19,007; William E. Player, 31,409; Yoon S. Ham, 45,307; and Nathaniel A. Humphries, 22,772.

- a) ☒ The power appears in the original papers of the prior application.
- b) ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

11. ☒ Petition to extend the life of the above prior application to at least the date hereof

(One box) ☐ is being concurrently filed in
NOTE: (must be) that prior application.
(X'd) ☐ was previously filed in that application.
☒ is not necessary.

If a Petition for Extension of Time is necessary and the Petition and/or the check is not enclosed, this will act as the Petition and applicant herewith petitions the Commissioner to extend the time for response and charge any fees necessary under 37 CFR 1.17 (a)(1)-(5) to Deposit Account No. 06-1358.

12. ☐ New formal drawings are enclosed.
13. ☒ Enclosed is a copy of the Information Disclosure Statement (IDS) and PTO 1449 which was filed in Serial No. 09/929051, filed August 15, 2001 which is relied on for an earlier filing date under 35 U.S.C. 120.
- a) ☐ More than one IDS was filed in the above Serial No. and copies of each IDS, less the documents, are enclosed.
14. ☒ Enclosed is a copy of the PTO 892 which issued in Serial No. 09/929051, filed August 15, 2001 which is relied on for an earlier filing date under 35 U.S.C. 120.
- a) ☐ More than one PTO 892 issued in the above Serial No. _____ and copies of each PTO 892, less the documents, are enclosed.
15. ☐ Also enclosed is:

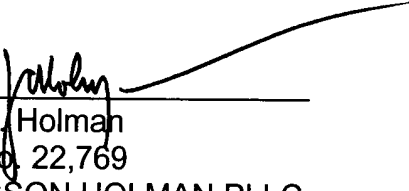
Address all future correspondence to:

Customer No. 00136
or
JACOBSON HOLMAN PLLC
400 Seventh Street, N.W.
Washington, D.C. 20004-2201
Telephone 202/638-6666

Enclosed is a copy of the prior application including the Declaration as originally filed, application, namely Serial No. 09/929051, filed on August 15, 2001. The entire disclosure of the prior application is hereby incorporated by reference.

Respectfully submitted,

By



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Signed this 16th day of
October, 2003

☒ Attorney or Agent of record

☐ Filed under 37 CFR 1.34(a)